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7 Attorneys for Defendant and Counterclaimant
STARENT NETWORKS CORP.

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

13 UTSTARCOM, INC.,
Plaintiff,
14 v.
15 STARENT NETWORKS CORP.,
16 Defendant.

CASE NO. C 04 01122 PVT

**STIPULATION AND ~~PROPOSED~~
ORDER**

17 STARENT NETWORKS CORP.,
18 Counterclaimant,
v.
19 UTSTARCOM, INC.,
20 Counter Defendant.

1 1. On or about September 1, 2005, UTStarcom proposed a schedule for filing summary
2 judgment papers. UTStarcom's proposed schedule called for moving papers to be filed by
3 September 20, 2005, oppositions to be filed by October 11, 2005, replies to be filed by October 25,
4 2005, with a hearing date of November 8, 2005;

5 2. On or about September 9, 2005, Starent communicated that it was willing to abide by
6 UTStarcom's proposed schedule for both parties' motions for summary judgment;

7 3. On October 11, UTStarcom advised Starent that UTStarcom was filing its opposition
8 to Starent's summary judgment motion that date, i.e. October 11. Starent later advised UTStarcom
9 that it was under the belief that its opposition to UTStarcom's motion for summary judgment was
10 due October 18, 2005 according to the Civil Local Rules, i.e. three weeks before the noticed hearing
11 of November 8, 2005;

12 4. UTStarcom completed its filing of its opposition to Starent's motion for summary
13 judgment on October 11, 2005. Starent filed its opposition to UTStarcom's motion for summary
14 judgment on October 14, 2005;

15 5. The parties hereby stipulate that UTStarcom may have to and including October 27,
16 2005, in which to file its reply to Starent's opposition to UTStarcom's motion for summary
17 judgment.

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1 6. Scott R. Mosko obtained permission from Brian Cannon to affix his electronic
2 signature to this pleading.

3 IT IS SO STIPULATED.

4 Dated: October 19, 2005

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.


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7 By: _____ /s/
8 Scott R. Mosko
9 Attorneys for Defendant and Counterclaimant
10 Starent Networks Corp.
11 Dated: October 19, 2005 SHEARMAN & STERLING LLP

12 By: _____ /s/
13 Brian Cannon
14 Attorneys for Plaintiff
15 UTStarcom, Inc.

16 **[PROPOSED] ORDER**

17 UTStarcom may have to and including October 27, 2005, in which to file its reply to
18 Starent's opposition to UTStarcom's Motion for Summary Judgment.

19 Dated: 10/24/05


Patricia V. Trumbull
United States Magistrate Judge